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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

MARLAINA KOLLER CROES,

Debtor.

Chapter 7

Case No. 20-22239 (RDD)

NOTICE OF AMENDMENT

PLEASE TAKE NOTICE that, pursuant to Rule 1009(a) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), an amendment to *Schedule C: The Property You Claim as Exempt*, originally filed on March 6, 2020 [Doc. No. 18] by the above-captioned debtor, is transmitted herewith.

PLEASE TAKE FURTHER NOTICE that any objections to the debtor’s claim of exemptions, as amended, must be filed within 30 days after the date of the filing of the amendment, or as may otherwise be provided in Bankruptcy Rule 4003(b).

Dated: New York, New York
June 29, 2021

ROSEN & ASSOCIATES, P.C.

Counsel to the Debtor

By: 
Paris Gyparakis

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New York, NY 10017

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**United States Bankruptcy Court
Southern District of New York**

In re **Marlaina Koller Croes**

Debtor(s)

Case No. **20-22239 (RDD)**

Chapter **7**

DECLARATION CONCERNING DEBTOR'S AMENDED SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing *Schedule C: The Property you Claim as Exempt*, consisting of **2** page(s), and that they are true and correct to the best of my knowledge, information, and belief.

Date **June 28, 2021**

Signature **/s/ Marlaina Koller Croes**
Marlaina Koller Croes
Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

Fill in this information to identify your case:

Debtor 1	Marlaina Koller Croes		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	SOUTHERN DISTRICT OF NEW YORK		
Case number (if known)	20-22239 (RDD)		

☒ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim Check only one box for each exemption.	Specific laws that allow exemption
Residence: 222 Gailmore Drive Yonkers, NY 10710 Line from <i>Schedule A/B</i> : 1.1	\$350,000.00	<input checked="" type="checkbox"/> \$140,963.91 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5206
Vehicle: 2014 Land Rover Range Rover Line from <i>Schedule A/B</i> : 3.1	\$27,000.00	<input checked="" type="checkbox"/> \$3,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Debtor & Creditor Law § 282(1)
Various household goods and furnishings listed on Schedule A: No. 6 Line from <i>Schedule A/B</i> : 6.1	\$1,500.00	<input checked="" type="checkbox"/> \$1,350.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(5)
Various electronics listed on Schedule A: No. 7 Line from <i>Schedule A/B</i> : 7.1	\$1,650.00	<input checked="" type="checkbox"/> \$1,650.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(5)
2 Handguns Line from <i>Schedule A/B</i> : 10.1	\$325.00	<input checked="" type="checkbox"/> \$325.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(9)

Debtor 1 **Marlaina Koller Croes**

Case number (if known) **20-22239 (RDD)**

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Various articles of clothing listed on Schedule A: No. 11 Line from Schedule A/B: 11.1	\$1,500.00	<input checked="" type="checkbox"/> \$1,500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(5)
Various items of jewelry listed on Schedule A: No. 12 Line from Schedule A/B: 12.1	\$2,000.00	<input checked="" type="checkbox"/> \$1,150.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(6)
3 Dogs Line from Schedule A/B: 13.1	\$2,400.00	<input checked="" type="checkbox"/> \$2,400.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(a)(4)
NY 529 College Savings Account Line from Schedule A/B: 24.1	\$1,800.00	<input checked="" type="checkbox"/> \$1,800.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(j)
Divorce Settlement Supreme Court of the State of New York, County of Westchester Koller v. Gurgigno (Index No. 52833/2015) Line from Schedule A/B: 29.1	\$20,000.00	<input checked="" type="checkbox"/> \$20,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	NYCPLR § 5205(d)(3)
Civil rights and bodily injury suit U.S. District Court Southern District of New York Koller-Gurgigno v. Gurgigno et al (18-cv-00098-vb) Line from Schedule A/B: 34.1	\$25,275,000.00	<input checked="" type="checkbox"/> \$8,550.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Debtor & Creditor Law § 282(3)(iii)

3. **Are you claiming a homestead exemption of more than \$170,350?**

(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

☒ No

☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?

☐ No

☐ Yes